

ORDINANCE NO. 3030

043

AN ORDINANCE ANNEXING APPROXIMATELY 19.538 ACRES LOCATED SOUTH OF TOWNSHIP, EAST OF 5TH WEST, AND NORTH OF YORK ROAD TO THE CITY OF IDAHO FALLS; DESCRIBING SUCH LANDS; AMENDING THE CITY MAP; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Section 1 of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Section 1 is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City upon compliance with procedures required in Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands where necessary; and

WHEREAS, the lands to be annexed are contiguous to the City and the City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

REC'D APR 12 2016

1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;

2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and

3) Annexation of the lands described in Section 1 are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the City Council that the lands described hereinbelow in Section 1 of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as "Low Density Residential"; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, as follows:

SECTION 1. Annexation of Property. The lands described herein are hereby annexed to the City of Idaho Falls, Idaho:

A parcel of land being part of the Southwest Quarter of Section 6, Township 1 North, Range 38 East, Boise Meridian, described as follows;

Beginning at the West Quarter Corner of said Section 6 and running thence S00°02'03"E 1066.17 feet along the West line of said Section 6, thence leaving said West line N89°57'57"E 50.00 feet to a point on the South line of the recorded subdivision of Spring Meadows Div. No. 1, having Instrument No. 897574, said point being the True Point of Beginning, running thence along said South line the following three (3) courses, (1) N89°57'57"E 387.20 feet (2) N65°25'54"E 224.74 feet (3) N50°09'17"E 103.33 feet to the Westerly most point of Lot 29, Block 10 of the recorded subdivision of Southpoint Div. No. 7, having Instrument No. 1273692, thence leaving said South line along the West line of said Southpoint Div. No. 7 the following three (3) courses, (1) S41°59'47"E 213.26 feet (2) N48°00'13"E 32.15 feet (3) S41°59'47"E 140.40 feet to a point on the South line of said Southpoint Div. No. 7, thence along said South line the following five (5)

courses, (1) N48°00'13"E 96.64 feet (2) N70°57'55"E 132.54 feet (3) S89°59'47"E 218.27 feet (4) S00°00'13"W 20.37 feet (5) S89°59'47"E 197.50 feet to the Southeast corner of Lot 16, Block 14 of said Southpoint Div. No. 7, thence leaving said South line S00°00'13"W 188.80 feet,, thence N89°59'47"W 135.29 feet, thence S00°00'13"W 144.00 feet, thence N89°59'47"W 86.00 feet, thence N87°31'25"W 146.03 feet, thence S48°00'13"W 124.41 feet, thence S00°00'13"W 64.05 feet, thence S78°27'34"E 129.98 feet to the point of a non-tangent curve to the left having a radius of 50.00 feet, a central angle of 23°09'55" and a chord which bears S00°02'31"E 20.08 feet, thence along said non-tangent curve to the left 20.22 feet, thence S78°22'32"W 154.79 feet, thence S00°00'13"W 106.88 feet, thence N89°59'47"W 125.01 feet, thence S00°02'02"E 22.77 feet, thence N89°59'47"W 204.00 feet, thence N00°00'13"E 100.10 feet, thence S89°06'27"W 138.42 feet, thence S84°00'49"W 50.00 feet, thence N05°59'11"W 9.97 feet, thence S83°41'53"W 161.72 feet, thence N89°41'18"W 148.91 feet, thence S02°32'28"W 22.97 feet, thence N87°27'32"W 50.00 feet, thence S86°24'43"W 127.86 feet, thence S43°03'19"W 27.31 feet, thence S00°02'03"E 368.02 feet, thence S89°57'57"W 35.00 feet, thence N00°02'03"W 1005.65 feet to the True Point of Beginning.

Parcel contains 19.538 Acres.

SECTION 2. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 3. Findings. That the findings contained in the recitals of this Ordinance be, and the same are hereby, adopted as the official City Council findings for this Ordinance, and that any further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.


SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 21 day of SEPTEMBER, 2015.


Rebecca L. Noah Casper, Mayor

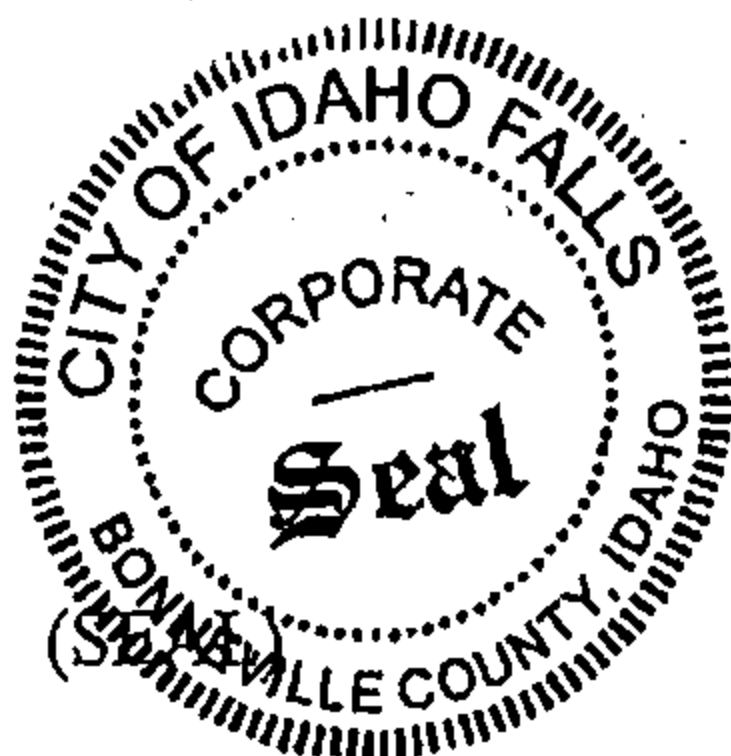
ATTEST:



Kathy Hampton, City Clerk



I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled: "AN ORDINANCE ANNEXING APPROXIMATELY 19.538 ACRES LOCATED SOUTH OF TOWNSHIP, EAST OF 5TH WEST, AND NORTH OF YORK ROAD TO THE CITY OF IDAHO FALLS; DESCRIBING SUCH LANDS; AMENDING THE CITY MAP; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."




Kathy Hampton, City Clerk

West Quarter Corner Sec. 6
Found Iron Rod
C.P.&F. Instrument Numbers
XXXXXX PLS 14750
620889 PLS 760

5th West (Park Taylor Road)

(Basis of Bearing - Recovered monuments, City of Idaho Falls 2004 Datum)
(Measured) S00°02'03"E 2658.41'

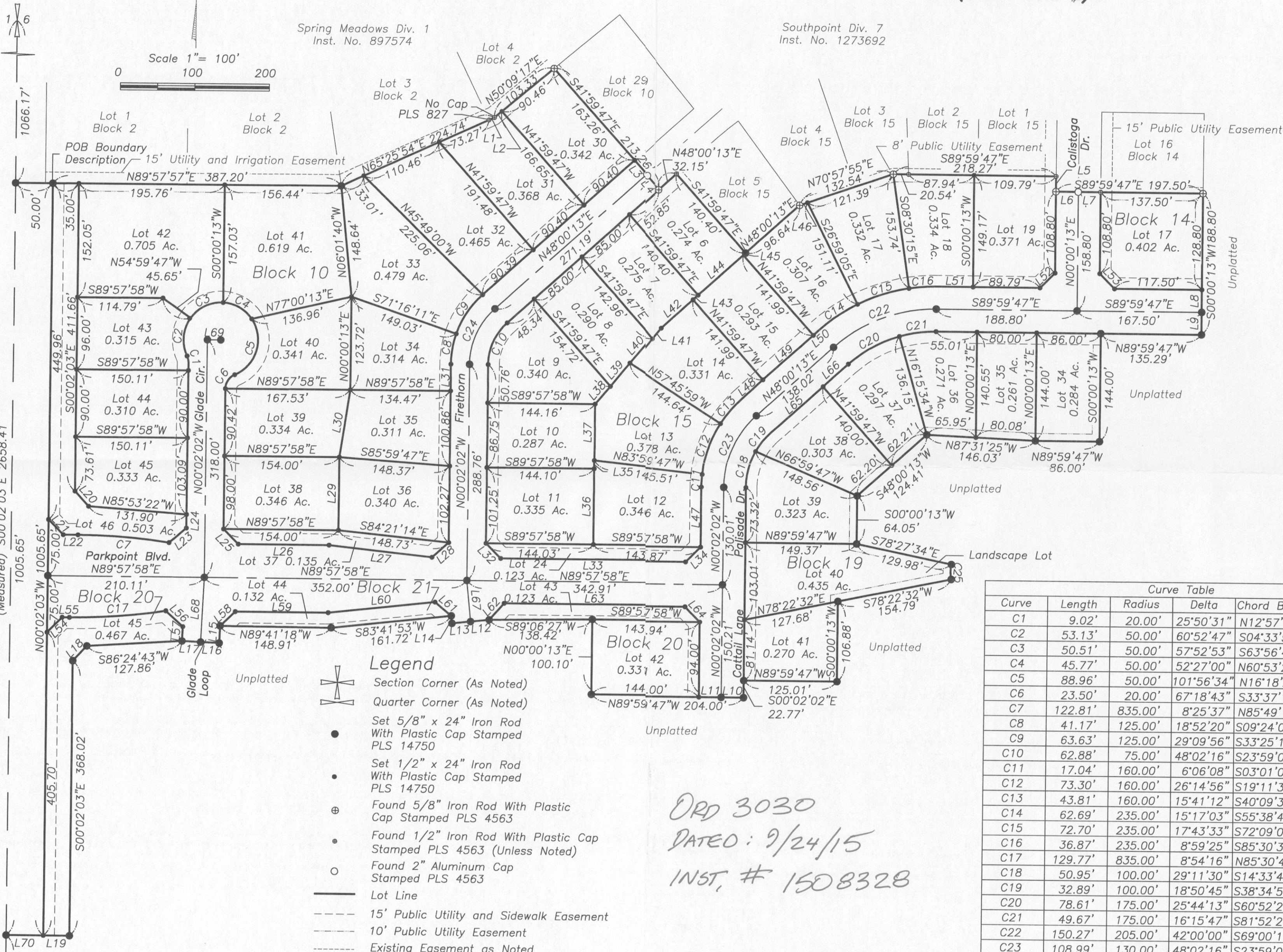
Southwest Corner Sec. 6
Found Aluminum Cap
C.P.&F. Instrument Numbers
1284103 PLS 3842
539145 PLS 827
538690 PLS 827

NOT RECORDED
SOUTHPOINT DIV. NO. 8
AN ADDITION TO THE CITY OF IDAHO FALLS,
BONNEVILLE COUNTY, IDAHO
BEING IN PART OF THE SW 1/4 OF SECTION 6,
TOWNSHIP 1 NORTH, RANGE 38 EAST, B.M.
(Sheet 1 of 2)

Spring Meadows Div. 1
Inst. No. 897574

Southpoint Div. 7
Inst. No. 1273692

Scale 1" = 100'
0 100 200



Legend

- Section Corner (As Noted)
- Quarter Corner (As Noted)
- Set 5/8" x 24" Iron Rod With Plastic Cap Stamped PLS 14750
- Set 1/2" x 24" Iron Rod With Plastic Cap Stamped PLS 14750
- Found 5/8" Iron Rod With Plastic Cap Stamped PLS 4563
- Found 1/2" Iron Rod With Plastic Cap Stamped PLS 4563 (Unless Noted)
- Found 2" Aluminum Cap Stamped PLS 4563
- Lot Line
- 15' Public Utility and Sidewalk Easement
- 10' Public Utility Easement
- Existing Easement as Noted

Surveyor's Certificate

I, Frank W. Peterson, a Licensed Professional Land Surveyor in the State of Idaho do hereby certify that the survey of this Subdivision, designated as SOUTHPOINT DIV. NO. 8 was performed by me or under my direction, and that said Subdivision is truly and correctly surveyed and staked as provided by law, and in accordance with the accompanying plat as described hereon.

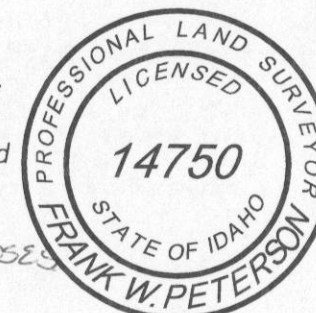
Frank W. Peterson

License No. 14750

Date

12-17-15

ORD 3030
DATE: 9/24/15
INST. # 1508328



Curve Table				
Curve	Length	Radius	Delta	Chord Bearing & Dist.
C1	9.02'	20.00'	25°50'31"	N12°57'18"W 8.94'
C2	53.13'	50.00'	60°52'47"	S04°33'50"W 50.66'
C3	50.51'	50.00'	57°52'53"	S63°56'40"W 48.39'
C4	45.77'	50.00'	52°27'00"	N60°53'23"W 44.19'
C5	88.96'	50.00'	101°56'34"	N16°18'24"E 77.68'
C6	23.50'	20.00'	67°18'43"	S33°37'19"W 22.17'
C7	122.81'	835.00'	8°25'37"	N85°49'14"W 122.70'
C8	41.17'	125.00'	18°52'20"	S09°24'07"W 40.99'
C9	63.63'	125.00'	29°09'56"	S33°25'15"W 62.94'
C10	62.88'	75.00'	48°02'16"	S23°59'05"W 61.06'
C11	17.04'	160.00'	6°06'08"	S03°01'02"W 17.03'
C12	73.30'	160.00'	26°14'56"	S19°11'34"W 72.66'
C13	43.81'	160.00'	15°41'12"	S40°09'37"W 43.67'
C14	62.69'	235.00'	15°17'03"	S55°38'45"W 62.50'
C15	72.70'	235.00'	17°43'33"	S72°09'02"W 72.41'
C16	36.87'	235.00'	8°59'25"	S85°30'31"W 36.84'
C17	129.77'	835.00'	8°54'16"	N85°30'49"E 129.64'
C18	50.95'	100.00'	29°11'30"	S14°33'43"W 50.40'
C19	32.89'	100.00'	18°50'45"	S38°34'51"W 32.74'
C20	78.61'	175.00'	25°44'13"	S60°52'20"W 77.95'
C21	49.67'	175.00'	16°15'47"	S81°52'20"W 49.51'
C22	150.27'	205.00'	42°00'00"	S69°00'13"W 146.93'
C23	108.99'	130.00'	48°02'16"	S23°59'05"W 105.83'
C24	83.84'	100.00'	48°02'16"	S23°59'05"W 81.41'
C25	20.22'	50.00'	23°09'55"	S00°02'31"E 20.08'

Line Table		
Line	Length	Bearing
L1	8.00'	N65°25'54"E
L2	12.87'	N50°09'17"E
L3	25.00'	N41°59'47"W
L4	25.00'	N41°59'47"W
L5	20.37'	S00°00'13"W
L6	30.00'	N89°59'47"W
L7	30.00'	N89°59'47"W
L8	30.00'	S00°00'13"W
L9	30.00'	S00°00'13"W
L10	30.00'	S89°59'47"E
L11	30.00'	S89°59'47"E
L12	25.00'	S84°00'49"W
L13	25.00'	S84°00'49"W
L14	9.97'	N05°59'11"W
L15	22.97'	S02°32'28"W
L16	25.00'	N87°27'32"W
L17	25.00'	N87°27'32"W
L18	27.31'	S43°03'19"W
L19	35.00'	S89°57'57"W
L20	27.24'	S42°57'43"E
L21	28.28'	S45°02'03"E
L22	19.81'	N89°57'58"E
L23	30.29'	N49°10'46"E
L24	18.05'	N00°02'02"W
L25	28.28'	S45°02'02"E
L26	121.77'	N89°57'58"E
L27	138.90'	S83°59'47"E
L28	29.73'	N47°59'05"E
L29	98.00'	S00°02'02"E
L30	91.42'	N08°28'35"E
L31	35.35'	S00°02'02"E
L32	28.28'	S45°02'02"E
L33	247.91'	S89°57'58"W
L34	28.28'	N44°57'58"E
L35	11.07'	S00°00'13"W
L36	101.25'	S00°00'13"W
L37	75.68'	S00°00'13"W
L38	31.16'	S40°07'31"W
L39	40.61'	S40°07'31"W
L40	45.20'	S40°07'31"W
L41	18.65'	S40°07'31"W
L42	57.33'	S48°00'13"W
L43	9.19'	S48°00'13"W
L44	80.81'	S48°00'13"W
L45	4.19'	S48°00'13"W
L46	11.15'	S70°57'55"W
L47	80.01'	S00°02'02"E
L48	38.01'	S48°00'13"W
L49	90.00'	S48°00'13"W
L50	10.01'	S48°00'13"W
L51	49.01'	N89°59'47"W
L52	28.28'	N45°00'13"E
L53	28.28'	S44°59'47"E
L54	28.28'	N44°58'59"E
L55	9.81'	S89°57'58"W
L56	30.97'	S48°11'56"E
L57	19.23'	N02°32'28"E
L58	27.64'	N46°15'13"E
L59	124.65'	S89°57'58"W
L60	143.82'	N83°47'33"E
L61	28.34'	S51°05'49"E
L62	29.71'	N41°59'23"E
L63	242.45'	S89°57'58"W
L64	28.28'	S45°02'02"E
L65	92.69'	N48°00'13"E
L66	45.33'	N48°00'13"E
L67	54.96'	S05°59'11"E
L68	86.01'	S02°32'28"W
L69	18.00'	S89°57'58"W
L70	50.00'	S89°57'57"W

jeff Freiberg
ENGINEERING

PETERSON
LAND SURVEYING
Idaho Falls, Idaho (208) 313-5033